



TUALATIN CITY COUNCIL

Tuesday, May 27, 2014

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

EXECUTIVE SESSION begins at 5:15 p.m.

WORK SESSION begins at 6:00 p.m.

BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Monique Beikman

Councilor Wade Brooksby

Councilor Frank Bubenik

Councilor Joelle Davis

Councilor Nancy Grimes

Councilor Ed Truax

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact Administration at 503.691.3011. Notification thirty-six (36) hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

Your City government welcomes your interest and hopes you will attend the City of Tualatin Council meetings often.

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

A **legislative** public hearing is typically held on matters which affect the general welfare of the entire City rather than a specific piece of property.

1. Mayor opens the public hearing and identifies the subject.
2. A staff member presents the staff report.
3. Public testimony is taken.
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When the Council has finished questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *deny*, or *continue* the public hearing.

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

A **quasi-judicial** public hearing is typically held for annexations, planning district changes, conditional use permits, comprehensive plan changes, and appeals from subdivisions, partitions and architectural review.

1. Mayor opens the public hearing and identifies the case to be considered.
2. A staff member presents the staff report.
3. Public testimony is taken:
 - a) In support of the application
 - b) In opposition or neutral
4. Council then asks questions of staff, the applicant, or any member of the public who testified.
5. When Council has finished its questions, the Mayor closes the public hearing.
6. When the public hearing is closed, Council will then deliberate to a decision and a motion will be made to either *approve*, *approve with conditions*, or *deny the application*, or *continue* the public hearing.

TIME LIMITS FOR PUBLIC HEARINGS

The purpose of time limits on public hearing testimony is to provide all provided all interested persons with an adequate opportunity to present and respond to testimony. All persons providing testimony **shall be limited to 3 minutes**, subject to the right of the Mayor to amend or waive the time limits.

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Mayoral Proclamation Declaring May 13, 2014 as “Sarah Morris Day” in Tualatin
2. Tualatin Tomorrow Update

C. CITIZEN COMMENTS

This section of the agenda allows anyone to address the Council regarding any issue not on the agenda, or to request to have an item removed from the consent agenda. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 12, 2014
2. Consideration of Amendment No. 3 to An Intergovernmental Agreement with Metro for the 2006 Natural Areas Bond Measure Local Share Component
3. Consideration of **Resolution No. 5191-14** Authorizing the Refunding of Water Revenue Bonds to Obtain Debt Service Savings

E. SPECIAL REPORTS

1. Update on Summer Programs and Activities Offered by the City of Tualatin and Partners
2. Quarterly Financial Report

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Ordinance No. 1371-14** Annexing Territory Located at 17645 SW Jurgens Avenue Into the City of Tualatin and Withdrawing the Territory From the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Map 2S1 14CC, Tax Lot 4801) (ANN-14-02)
2. Consideration of **Resolution No. 5192-14** Awarding the Bid for the 2014 Pavement Maintenance Program and Authorizing the City Manager to Execute a Contract.
3. Receive for Filing of Initiative Petition 2012-01i with the Tualatin City Council

G. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

H. COMMUNICATIONS FROM COUNCILORS

I. ADJOURNMENT

City Council Meeting

Meeting Date: 05/27/2014

ANNOUNCEMENTS: Mayoral Proclamation Declaring May 13, 2014 as "SARAH MORRIS DAY"

ANNOUNCEMENTS

Mayoral Proclamation Declaring May 13, 2014 as "Sarah Morris Day" in Tualatin

Proclamation

Mayoral Proclamation

Dedaring May 13, 2014 as "SARAH MORRIS DAY"
in the City of Tualatin

WHEREAS Sarah Morris has been a teacher for 16 years and is currently a seventh-grade social studies teacher at Tualatin's Hazelbrook Middle School; and

WHEREAS Sarah Morris has been described as a time-travel machine with her students as her time-travelers, taking them back and planting their feet into Charlemagne's, Anne Frank's and Aristotle's shoes; finding ways to excite the least interested student while challenging the talented and gifted students as well; and

WHEREAS every year Barnes & Noble hosts a **MY FAVORITE TEACHER** contest where middle and high school students write essays about their favorite teacher and submit them to their local Barnes & Noble store. There are local teacher winners in every store nationwide with the winners entered into the National Teacher of the Year contest; and

WHEREAS Ayslinn Buchholz wrote an essay about her favorite teacher, Sarah Morris and submitted it into the contest. Buchholz's essay was selected from 9,100 entries nationally as the best; and

WHEREAS Sarah Morris was ultimately chosen as the **2014 BARNES & NOBLE'S NATIONAL TEACHER OF THE YEAR!**

NOW, THEREFORE, I, LOU OGDEN, MAYOR OF THE CITY OF TUALATIN OREGON, do commend Ayslinn Buchholz for submitting her essay, and Sarah Morris for her superior teaching, and do hereby PROCLAIM that:

Tuesday, May 13, 2014 is **SARAH MORRIS DAY** in the City of Tualatin.

Tualatin Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 05/27/2014

SUBJECT: Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of May 12, 2014

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the City Council Work Session and Regular Meeting of May 12, 2014.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: City Council Work Session Minutes of May 12, 2014
City Council Meeting Minutes of May 12, 2014



OFFICIAL MINUTES OF TUALATIN CITY COUNCIL WORK SESSION FOR MAY 12, 2014

Present: Mayor Lou Ogden; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Council President Monique Beikman

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker;

Present: Assistant City Manager Alice Cannon; Community Services Director Paul Hennon; Finance Director Don Hudson; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Engineering Manager Kaaren Hofmann; Management Analyst Ben Bryant; Public Works Director Jerry Postema

CALL TO ORDER

Councilor Ed Truax called the meeting to order at 5:04 p.m.

1. ***Update from Metro on the Climate Smart Communities Project.***

John Williams, Deputy Director of Planning at Metro, presented an update on the Climate Smart Communities project. Mr. Williams explained Climate Smart Communities is part of a statewide transportation funding bill requiring development of an approach for reducing greenhouse gas emissions from small trucks and cars. Metro is currently working towards a preferred approach which must be completed in 2014. The project is currently in the third and final phase consisting of regional discussions to determine the preferred approach. On May 30 the Metropolitan Policy Advisory Committee (MPAC) and the Joint Policy Advisory Committee on Transportation (JPACT) will meet to discuss policy choices. Metro staff will then evaluate the draft preferred approach and report back to regional advisory boards with final adoption by Metro Council in December.

Councilor Bubenik asked about financing of the project. Mr. Williams explained financing will have to be a discussion that happens both at a local and regional level.

2. ***Southwest Corridor Draft Recommendation.***

Assistant City Manager Alice Cannon and Economic Development Manager Ben Bryant presented the Southwest Corridor Draft recommendations. Manager Bryant explained Metro and Tri-Met need to complete a Draft Environmental Impact Statement (DEIS). The Southwest Corridor Steering Committee has been asked to eliminate potential alignments that are not viable. The proposed alignments were recapped. Manager Bryant stated the next step is to share this information with several City of Tualatin groups to determine what recommendations to make to the steering committee.

Councilor Bubenik asked about a proposed bill date for this project. Mayor Ogden explained the project lead has stated 2021 as the proposed bill date. He noted that a timeline was passed out at the steering committee stating it could be ten years or more until a bill would be ready.

Councilor Davis asked if the DEIS only studies the environment or if station locations are included. Assistant City Manager Cannon responded that the location of stations will continue to be refined throughout the process. Councilor Davis expressed concern with the location of stations and how they will impact businesses in the downtown area.

Councilor Brooksby asked if the proposed mode is light rail or bus rapid transit. Assistant City Manager Cannon stated data is still be gathered and a more detailed evaluation will need to occur before a decision is made on a mode.

Councilor Davis asked what impact the prospective initiative petition would have on Tualatin's participation in this project. City Attorney Brady stated it could prohibit the City from participating but does not keep the State or TriMet from carrying the project out.

3. *Water Update.*

Engineering Manager Kaaren Hofmann and Public Works Director Jerry Postema presented an update on current water issues. Manager Hofmann stated the City's existing supply capacity is 10.8 million gallons per day (mgd) and our build-out water demands are projected to be 14.2 mgd.

Mayor Ogden asked when the build-out would be completed. Manager Hofmann stated sometime after 2030.

Manager Hofmann explained the city currently has a contract with Portland to receive Bull Run water through 2026. She noted the City of Tigard will be going off this system in July 2016 and will cause Tualatin's rates to increase 23% over the next 5 years. Currently the Tualatin Valley Water District (TVWD) and the City of Hillsboro plan to be drawing water from the Willamette Water Treatment Plant in Wilsonville by 2026. Tualatin is currently participating in the preliminary design work and will act as a technical resource on construction.

Councilor Davis asked about City participation in the project. Manager Hoffman responded the Council made a decision last year to participate in the study to be informed about future water supply options.

Manger Hofmann stated due to the decisions of TVWD and Hillsboro and the far-reaching policy implications of this move to obtain Willamette River water, a group of interested jurisdictions have began meeting. The goal is to have a jurisdictional framework that would effectively replace the Willamette River Water Coalition (WRWC) by the end of this calendar year.

Manager Hofmann noted Portland Water Bureau (PWB) is currently in the process of completing construction on the Powell Butte II reservoir. PWB started discussing allocation to wholesale customers with a proposal showing a 34% rate increase to

the City of Tualatin on July 1, 2015. Wholesale customers are discussing concerns with this shift in policy and its implications.

Councilor Truax stated the Council is being asked tonight to consider having a cost allocation study conducted. He explained hiring a consultant will help show the City what expected rate increases could look like under different scenarios and allow the City to plan for these appropriately.

Councilor Davis asked at what point does PWB become too expensive and stop being the preferred source. Councilor Truax explained a potential structural change with PWB has left a lot of unknowns and completing a cost allocation study will help to answer these types of scenario questions.

Councilor Brooksby asked about the cost of completing the study. Councilor Truax responded the cost will be around \$7,500. Manager Hofmann noted there is money available in the budget to complete this study.

Council consensus was reached to move forward with a cost allocation study.

4. *Refunding of Outstanding Water Revenue Bonds.*

Finance Director Don Hudson presented information regarding a proposal to move forward with the advanced refunding of outstanding water revenue bonds. He explained in 2005 the City sold revenue bonds in the amount of \$7,305,000 for construction of a five million gallon water reservoir and the retrofitting of four existing water reservoirs and three water pump stations. Interest rates for the bond ranged from 4.00% to 4.5% and mature in December 2025. The current state of the bond market, offers the ability to reduce the average coupon rate on the outstanding bonds from 4.34% to 2.28%, and reduce the annual debt service payment by approximately \$25,000 to \$30,000 annually. This would offer a significant savings to the City. He noted if the Council chooses to move forward a resolution will be brought back at the next Council meeting.

5. *Council Meeting Agenda Review, Communications & Roundtable.*

ADJOURNMENT

The work session adjourned at 6:55 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR MAY 12, 2014

Present: Mayor Lou Ogden; Councilor Wade Brooksby; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Council President Monique Beikman

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Kent Barker; Assistant City Manager Alice Cannon; Community Services Director Paul Hennon; Deputy City Manager Sara Singer; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Information Services Manager Lance Harris; Assistant Planner Colin Cortes; Engineer Associate Tony Doran; Program Coordinator Becky Savino; Teen Program Specialist Julie Ludemann; Public Works Director Jerry Postema

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden call the meeting to order at 7:05 p.m.

B. ANNOUNCEMENTS

1. Tualatin Youth Advisory Council Update for May 2014

Members of the Tualatin Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. YAC is preparing to host the Project FRIENDS workshop on May 23. All three local elementary schools will be participating in anti-bullying lessons. The committee has finished selecting movies for Movies on the Commons. Showings will take place on Saturday evenings throughout July and August. The committee will also be responsible for selling concessions at these events. Upcoming YAC activities include volunteering at the Tualatin TRYathlon, putting on the Teen Kaleidoscope Run, and new member recruitment.

2. Tualatin TRYathlon 2014

Julie Ludemann, Teen Program Specialist, announced the Tualatin TRYathlon. The event will be held on June 7th and is a non-competitive, non-timed, kids event. There will be a free kids fun zone and low cost bike helmets for sale at the event.

3. "If I Were Mayor..." 2014 Contest Winners

Julie Ludemann, Teen Program Specialist, presented the “If I Were Mayor...” contest winners. She explained the competition is sponsored by the Oregon Mayors Association and is a unique opportunity to promote local government education in our community. The winners from the three categories included: Gabriel Ingham, 4th-5th grade poster, Kathryn Melvin, middle school essay, and Adam Dezay, high school video and PowerPoint. The winning entries have been forwarded to the state wide competition for judging and winners will be announced mid-June.

4. Proclamation Declaring the Week of May 11 – 17, 2014 as “National Police Week” in the City of Tualatin

Councilor Davis stated she participated in this years Citizen Academy sponsored by the Tualatin Police Department. She found the academy to be both educational and fun. She encouraged all of Tualatin's citizens to participate.

Councilor Davis read the proclamation declaring the week of May 11 – 17, 2014 as “National Police Week” in the City of Tualatin.

5. Proclamation Declaring the Week of May 18-24, 2014 as Emergency Medical Services (EMS) Week

Councilor Grimes read the proclamation declaring the week of May 18-24, 2014 as Emergency Medical Services (EMS) Week.

Jason Rogers, Ambulance Operations Manager, for Metro West Ambulance accepted the proclamation.

6. Proclamation Declaring the Week of May 18-24, 2014 as National Public Works Week

Councilor Truax read the proclamation declaring the week of May 18-24, 2014 as National Public Works Week.

C. CITIZEN COMMENTS

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Dale Potts and Don Comstock invited the citizens of Tualatin to attend a Memorial Day Celebration on May 26, 10:45 a.m., at Winona Cemetery. There will be a ceremony followed by a free picnic event hosted by the Tualatin VFW Men's Auxiliary.

Kathy Newcomb expressed concerns regarding proposed pedestrian crossings and parking at the Seneca Street extension site. She submitted a letter for the record. Mayor Ogden asked staff to look into the issues presented and follow-up with Ms. Newcomb.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Joelle Davis, SECONDED by Councilor Nancy Grimes to approve the consent agenda.

Vote: 6 - 0 MOTION CARRIED

1. Consideration of Approval of the Minutes for the City Council Work Session and Regular Meeting of April 28, 2014
2. Consideration of **Resolution No. 5187-14** to Authorize the City Manager to Execute a Quitclaim Deed of a Public Sanitary Sewer Easement on a Metro Owned Parcel that is Part of the Wetland Protection District.
3. Consideration of Recommendations from the Council Committee on Advisory Appointments
4. Consideration of **Resolution No. 5190-14** Concurring with Washington County's Findings Relating to Vacation of a Portion of a Stormwater Easement for Architectural Review Case 10-05 (AR 10-05), Powin Pacific Phase 2

E. SPECIAL REPORTS

1. Community Enhancement Award Presentation to Jeannine Miller, Fine Arts Instructor at Tualatin High School

Program Coordinator Becky Savino and Tualatin Arts Advisory Committee Chair Buck Braden presented the Community Enhancement Award to Tualatin High School Fine Arts Instructor Jeannine Miller. Mr. Braden stated Ms. Miller was instrumental in the inception of the Student Visual Chronicle program. She works to promote the program at the high school and works with students to create artwork for the Chronicle.

Mayor Ogden thanked Ms. Miller for her dedication to all of the students she serves.

F. PUBLIC HEARINGS – Quasi-Judicial

1. Consideration of a Petition Requesting Annexation of Property at 17645 SW Jurgens Avenue (Tax Map 2S1 14CC, Tax Lot 4801) (ANN-14-02)

Mayor Ogden opened the hearing for a petition requesting annexation of property at 17645 SW Jurgens Avenue. He read the rules of the hearing in accordance with ORS 107.763(5) and (6) and ORS 197.796(3)(b).

Planning Manager Aquilla Hurd-Ravich and Associate Planner Colin Cortes presented the petition requesting annexation. Planner Cortes stated the request is to annex the subject property and designate the land into the Low Density (RL) Planning District. The proposed agreement sets framework for preliminary subdivision plans and addresses existing and future development. The analysis and findings show the petition meets all requirements.

Lee Laton, Director of Planning for Westlake Consultants, stated he prepared the application and made himself available for questions.

PUBLIC COMMENT

None

COUNCIL QUESTIONS

Councilor Truax asked if there was a plan for Track A. Mr. Laton explained the Track will be the location for the storm water management facility.

COUNCIL DELIBERATION

None

MOTION by Councilor Ed Truax, SECONDED by Councilor Joelle Davis to grant the petition for annexation of a property located at 17645 SW Jurgens Avenue and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District.

Vote: 6 - 0 MOTION CARRIED

G. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Resolution No. 5188-14** Authorizing the Execution of an Annexation Agreement with Owners of Property Located at 17645 SW Jurgens Avenue (Tax Map 2S1 14CC, Tax Lot 4801)

This item was presented before item F.1.

Planning Manager Aquilla Hurd Ravich and Associate Planner Colin Cortes presented the annexation request for the Rayborn Property located at 17645 SW Jurgens Avenue. Planner Cortes stated the annexation agreement addresses subdivision improvements including a dedicating of public right-of-way and construction improvements to match the existing conditions north and south of the property. He noted that the agreement meets annexation requirements.

PUBLIC COMMENT

None

MOTION by Councilor Ed Truax, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5188-14 authorizing the execution of an annexation agreement with owners of property located at 17645 SW Jurgens Avenue.

Vote: 6 - 0 MOTION CARRIED

H. ITEMS REMOVED FROM CONSENT AGENDA

Items removed from the Consent Agenda will be discussed individually at this time. The Mayor may impose a time limit on speakers addressing these issues.

I. COMMUNICATIONS FROM COUNCILORS

J. ADJOURNMENT

Mayor Ogden adjourned the meeting at 8:01 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Paul Hennon

FROM: Paul Hennon, Community Services Director

DATE: 05/27/2014

SUBJECT: Consideration of Amendment No. 3 to An Intergovernmental Agreement with Metro for the 2006 Natural Areas Bond Measure Local Share Component

ISSUE BEFORE THE COUNCIL:

The Council will consider approving an amendment to an intergovernmental agreement (IGA) with Metro for the 2006 Natural Areas Bond Measure Local Share Component to extend the expiration date to March 31, 2015.

RECOMMENDATION:

The staff respectfully recommends that Council approve and authorize the City Manager to sign the attached Amendment No. 3.

EXECUTIVE SUMMARY:

The Council approved an IGA with Metro enabling Tualatin to receive funding for land acquisition through the 2006 Natural Areas Bond Measure Local Share Component on October 13, 2008 (Resolution No. 4836-08).

Amendment No.3 (Attachment A) will extend the expiration date of the IGA to March 15, 2015 thereby allowing the City of Tualatin to obtain Local share funds in the amount of \$88,859.30 for land acquisition within the boundaries of the Tualatin River Greenway.

Additional time is needed to pursue acquisition of property from willing sellers that meets the requirements of being within the Tualatin River Greenway and that can be purchased within the amount of available funds.

FINANCIAL IMPLICATIONS:

Amendment No. 3 will enable the City of Tualatin to obtain Local Share funds in the amount of \$88,859.30 for a total contract amount not to exceed \$786,506 for land acquisition within the boundaries of the Tualatin River Greenway. These funds are budgeted in the Park Development Fund (Fund 36).

Attachments: Amendment 3



600 NE Grand Ave.
Portland, OR 97232-2736
503- 797-1700

Amendment

AMENDMENT NO. 3

CONTRACT NO. 927851

This Amendment hereby amends the above titled contract between Metro, a metropolitan service district organized under the law of the State of Oregon and the Metro Charter, and City of Tualatin, hereinafter referred to as "Local Share Partner."

This amendment is a change order to the original Scope of Work as follows:

Metro's funding obligation expiration date is extended from March 31, 2014 to March 31, 2015 to allow Local Share Partner to finish project planning, to leverage resources and complete land acquisition in the Tualatin River Greenway.

Metro shall pay Local Share Partner for services performed and materials delivered under this amendment in the amount not to exceed EIGHTY-EIGHT THOUSAND EIGHT HUNDRED FIFTY-NINE AND 30/100THS DOLLARS (\$88,859.30), for a total contract amount not to exceed SEVEN HUNDRED EIGHTY-SIX THOUSAND FIVE HUNDRED SIX AND 00/100THS DOLLARS (\$786,506.00).

Except for the above, all other conditions and covenants remain in full force and effect.

IN WITNESS TO THE ABOVE, the following duly authorized representatives of the parties referenced have executed this Amendment.

CITY OF TUALATIN

By _____

Print Name _____

Date _____

METRO

By _____

Print Name _____

Date _____



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Don Hudson, Finance Director

DATE: 05/27/2014

SUBJECT: Consideration of **Resolution No. 5191-14** Authorizing the Refunding of Water Revenue Bonds to Obtain Debt Service Savings

ISSUE BEFORE THE COUNCIL:

Whether to approve the attached resolution, authorizing the Finance Director or the City Manager to sign the appropriate documents to issue full faith and credit refunding bonds.

RECOMMENDATION:

Staff recommends that the Council approve the attached resolution.

EXECUTIVE SUMMARY:

During 2005, the City sold revenue bonds in the amount of \$7,305,000 for construction of a five million gallon water reservoir and the retrofitting of four existing water reservoirs and three water pump stations to meet current seismic loading standards. Interest rates for this bond range from 4.00% to 4.5% and mature in December 2025. There is a call feature allowing the City to retire the remaining outstanding bonds in December 2015. We are now close enough to the call date to advance refund these bonds. With the current state of the bond market, we have the ability to reduce the average coupon rate on the outstanding bonds from 4.34% to 2.28%, and reduce the annual debt service payment by approximately \$25,000 to \$30,000 annually.

The attached resolution authorizes the issuance of full faith and credit water refunding bonds. By pledging the City's full faith and credit to pay the refunding bonds, the savings realized by refunding the bonds will be increased. The City's intent is to continue paying for the bonds from water revenues, without the required covenants of a revenue bond issue. The resolution also authorizes the Finance Director or the City Manager to act on behalf of the City, and without further action by the City Council, to issue the bonds and execute the necessary documents required during the bond sale process.

Attachments: Resolution No. 5191-14

RESOLUTION NO. 5191-14

A RESOLUTION AUTHORIZING THE REFUNDING OF WATER REVENUE BONDS TO OBTAIN DEBT SERVICE SAVINGS.

WHEREAS, the City of Tualatin, Oregon (the "City") currently has outstanding approximately \$5.065 million of Water Revenue Bonds, Series 2005 (the "Refundable Bonds"); and,

WHEREAS, Oregon Revised Statutes sections 287A.360 through 287A.375 authorize Oregon cities to refund outstanding bonds; and,

WHEREAS, under current market conditions, refunding the Refundable Bonds will produce debt service savings; and,

WHEREAS, the above-referenced statutes, the ordinance authorizing the Refundable Bonds, and ORS 287A.315 authorize the City to secure refunding bonds with any lawfully available funds of the City and to pledge the City's full faith and credit and taxing power to pay the refunding bonds; and,

WHEREAS, pledging the City's full faith and credit and taxing power to pay the refunding bonds will increase the savings produced by the refunding; and,

WHEREAS, it is now desirable for the City to authorize the issuance of full faith and credit refunding bonds to refund the Refundable Bonds as provided in this resolution;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Authorization. The City Council hereby authorizes the issuance of its full faith and credit water refunding bonds (the "Refunding Bonds") to achieve debt service savings by refunding the Refundable Bonds. The Refunding Bonds shall be sold and issued pursuant to ORS Chapter 287A and as provided in this resolution. The Refunding Bonds may be issued in an amount sufficient to pay and redeem the Refundable Bonds, plus an amount sufficient to pay estimated costs related to the refunding and the Refunding Bonds.

Section 2. Security. Pursuant to ORS 287A.315 the City may pledge its full faith and credit and taxing power to pay the Refunded Bonds.

Section 3. The Finance Director or the City Manager, or the person designated by the Finance Director or the City Manager (each of whom is

referred to herein as a “City Official”) are hereby authorized, on behalf of the City and without further action by the City Council, to:

- (1) Issue the Refunding Bonds in one or more series which may be sold at different times.
- (2) Prepare, execute and deliver a bond declaration for each series of the Refunding Bonds specifying the terms under which each series of Bonds is issued, and making covenants for the benefit of Bondowners. The bond declarations may also contain covenants for the benefit of any credit providers.
- (3) Participate in the preparation of, authorize the distribution of, and deem final the preliminary and final official statements and any other disclosure documents for each series of the Refunding Bonds.
- (4) Establish the final principal amounts, maturity schedules, interest rates, sale prices, redemption terms, payment terms and dates, record date, and other terms of each series of the Refunding Bonds.
- (5) Publish a notice of sale, receive bids, and award the sale of each series of Refunding Bonds to the bidder complying with the notice and offering the most favorable terms to the City, or select one or more underwriters, commercial banks, or other investors, and negotiate the sale of any series of the Refunding Bonds with those underwriters, commercial banks, or investors.
- (6) Undertake to provide continuing disclosure for each series of the Refunding Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission.
- (7) Appoint and enter into agreements with a paying agent, verification agent, escrow agent, registrar, and any other professionals and service providers that the City Official determines are desirable in connection with the Refunding Bonds.
- (8) Apply for ratings for each series of Refunding Bonds, determine whether to purchase municipal bond insurance or obtain other forms of credit enhancements for each series of Refunding Bonds, enter into agreements with the providers of credit enhancement, and execute and deliver related documents.
- (9) Determine whether each series of Refunding Bonds will bear interest that is excludable from gross income under the Internal Revenue Code of 1986, as amended, or is includable in gross income under that code. If a series bears interest that is excludable from gross income under that code, the City Official may enter into covenants to maintain the

excludability of interest on that series of the Refunding Bonds from gross income.

- (10) File any required advance refunding plans for the Refunding Bonds with the State of Oregon.
- (11) Determine whether the savings produced by refunding are adequate to justify the refunding, and select the outstanding Refundable Bonds that will be refunded.
- (12) Enter into escrow deposit agreements and take any other actions to call, defease and refund any Refundable Bonds that will be refunded.
- (13) Issue, sell and deliver the Refunding Bonds and execute any documents and take any other action in connection with the Refunding Bonds which the City Official finds will be advantageous to the City.

Section 4. The resolution is effective immediately upon adoption.

Adopted by the City Council this ____ Day of _____, 2014.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

City Council Meeting

Meeting Date: 05/27/2014

SPECIAL Summer Activities Update
REPORTS:

SPECIAL REPORTS

Update on Summer Programs and Activities Offered by the City of Tualatin and Partners

PowerPoint

City of Tualatin 2014 Summer Programs



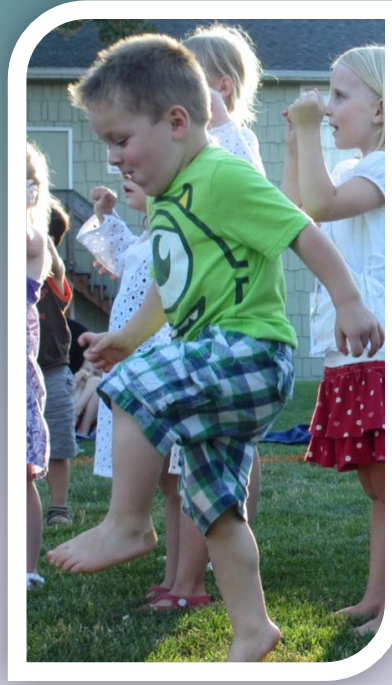
Summer Reading @ Library



- For all ages
- Free books & other rewards
- Community Reading Goal:
1.5 million minutes



Summer Reading @ The Commons



Tuesdays, June 17 - August 5
7:00 pm



Summer Camps



- Teen Adventure Camps
- Summer in the Park Day Camps
 - Explorers: grades 1-3
 - Voyagers: grades 4-5

Summer Camps



- Willowbrook Arts Camp
- Tualatin Riverkeepers
- Challenger Sports British Soccer Camp
- YMCA Camps

Concerts and Movies on the Commons



- Concerts
 - Fridays, July through August
 - 6:30pm
- Movies
 - Saturdays, July through August
 - Movies begin at sunset (9:00pm)

Arts Programs



- ArtSplash Art Show and Sale
- Art Walk



Juanita Pohl Center



**Portland
Community
College**



Tualatin Farmers Market



Fridays, June 13 to August 29
4:00pm to 8:00pm





Tualatin Crawfish Festival

August 1-3, 2014

- Food Cart Friday
- Iron Chef Contest
- Oregon Corks & Kegs
- Live entertainment
- Crawfish Crawl 5k, 10k, and half marathon



Photo courtesy of Daniel Payne Photography



Teen Volunteers

Community Services Department



Teen Volunteers T.E.A.M. Tualatin



- Park Maintenance
- Environmental Education
- Service Learning



GREAT

Gang Resistance Education and Training



- 6th through 9th grades
- 5 sessions, 250 kids
- Teambuilding
- Teach responsibility to self, others, and community

Recreation Partners



Tualatin Heritage Center

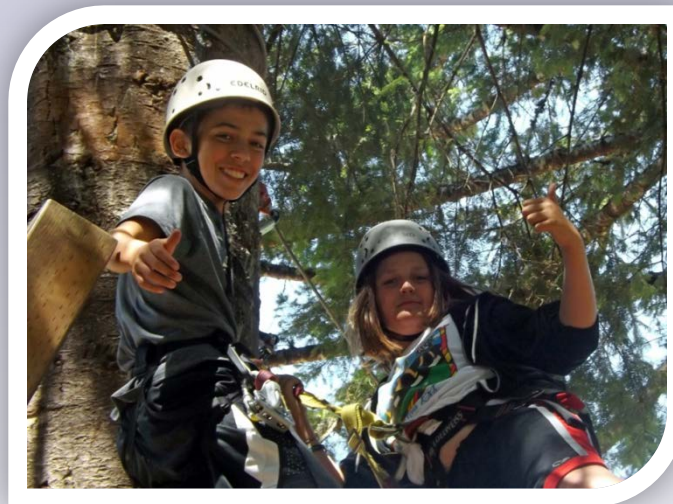
Ongoing lectures, programs, displays, and activities throughout the summer.

Browns Ferry Park Kayak & canoe rentals



JOIN THE FUN!

www.tualatinoregon.gov



City Council Meeting

Meeting Date: 05/27/2014

**CONSENT
AGENDA:**

CONSENT AGENDA

Quarterly Financial Report

PowerPoint



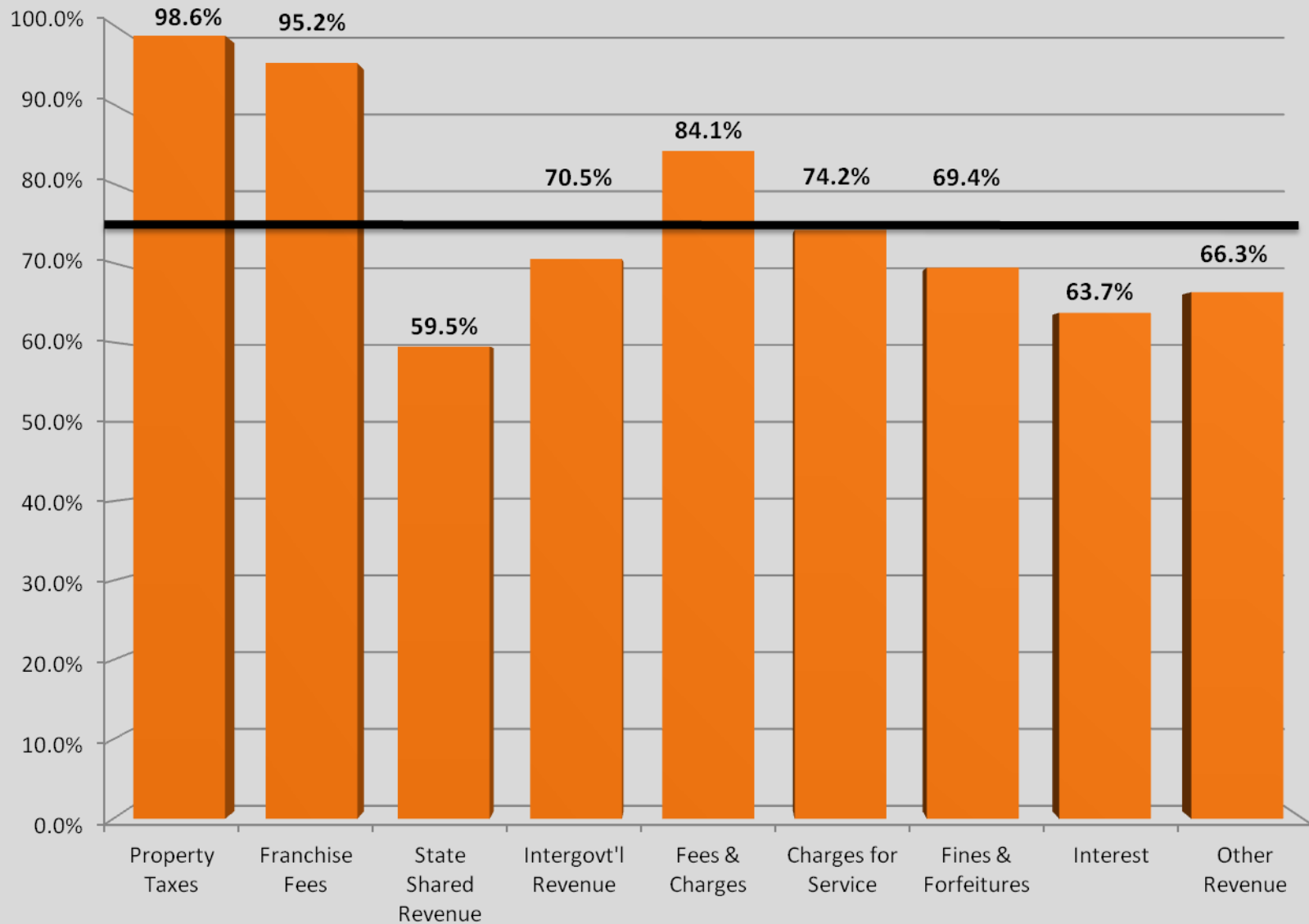
QUARTERLY FINANCIAL REPORT

Fiscal Year 2013 – 2014
Second Quarter, ending March 31, 2014

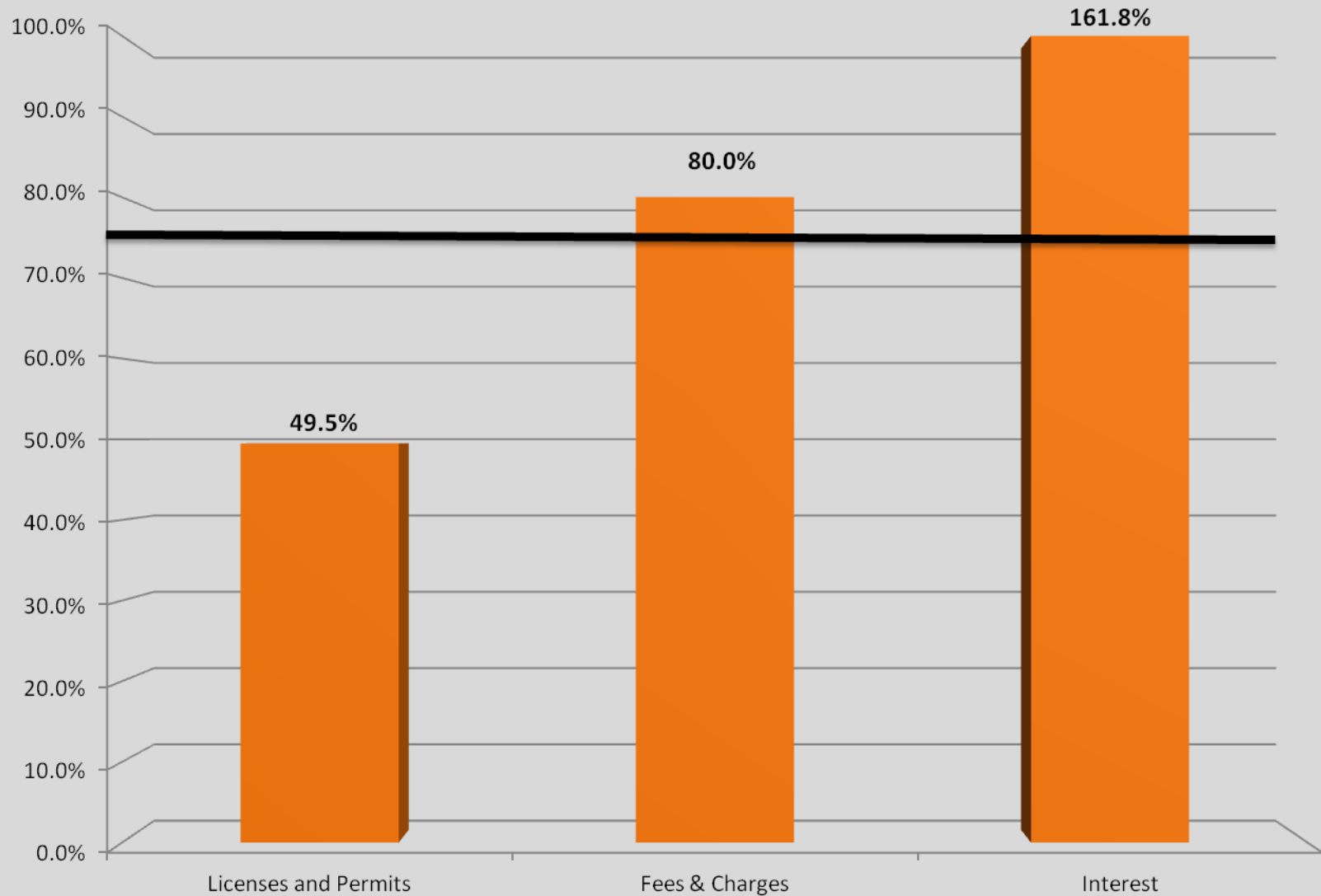
Fiscal Year 2013/14

Revenues and Expenditures

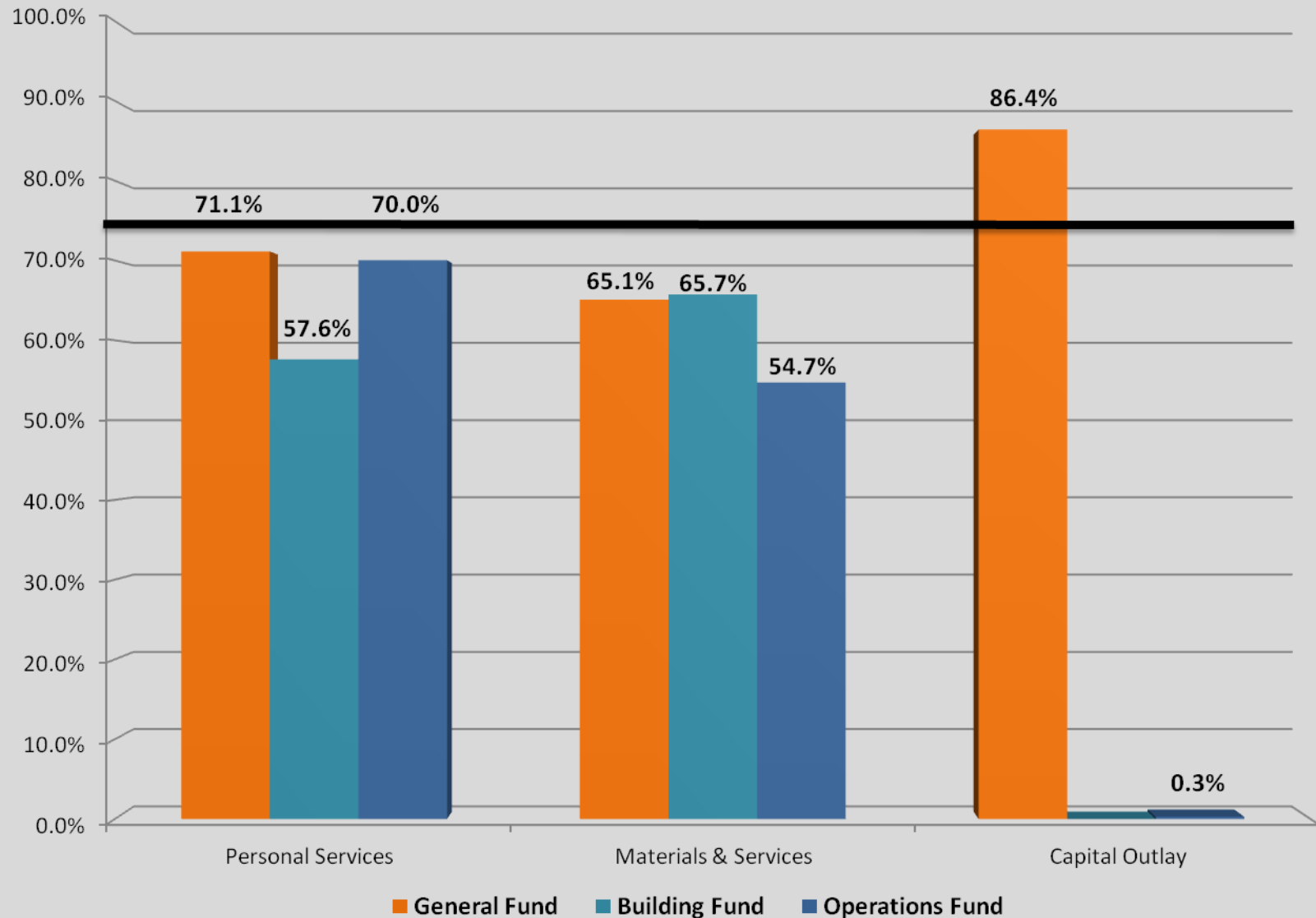
General Fund Revenue



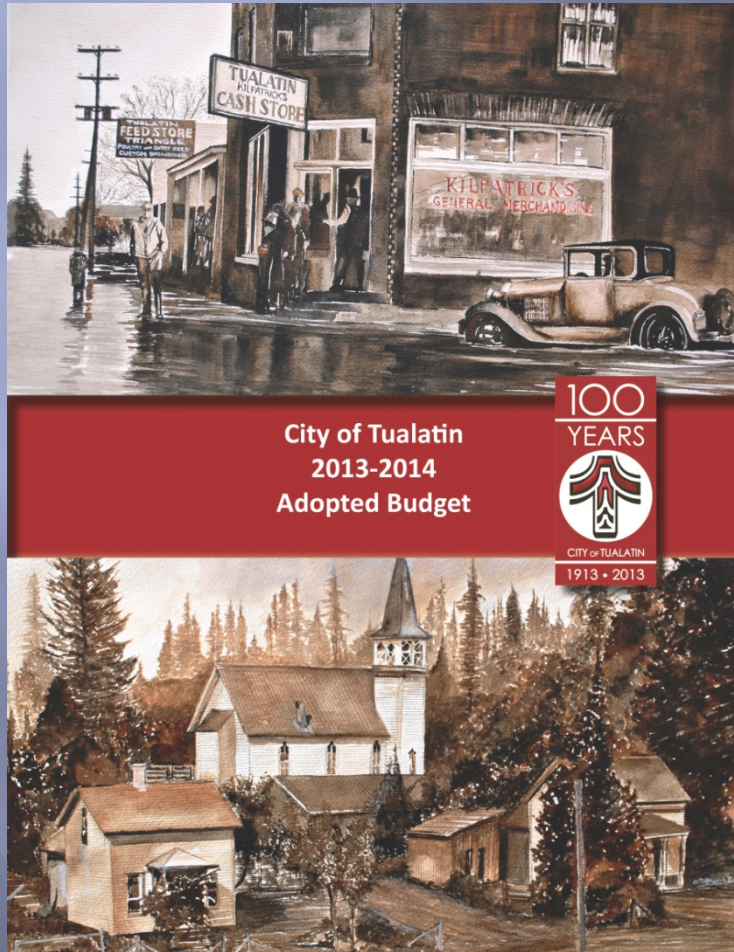
Building Fund Revenue



Operating Expenditures



Fiscal Year 2013/14 Budget Document



Centennial themed document with dozens of historical pictures and revamped sections making it more readable, with additional information over previous year

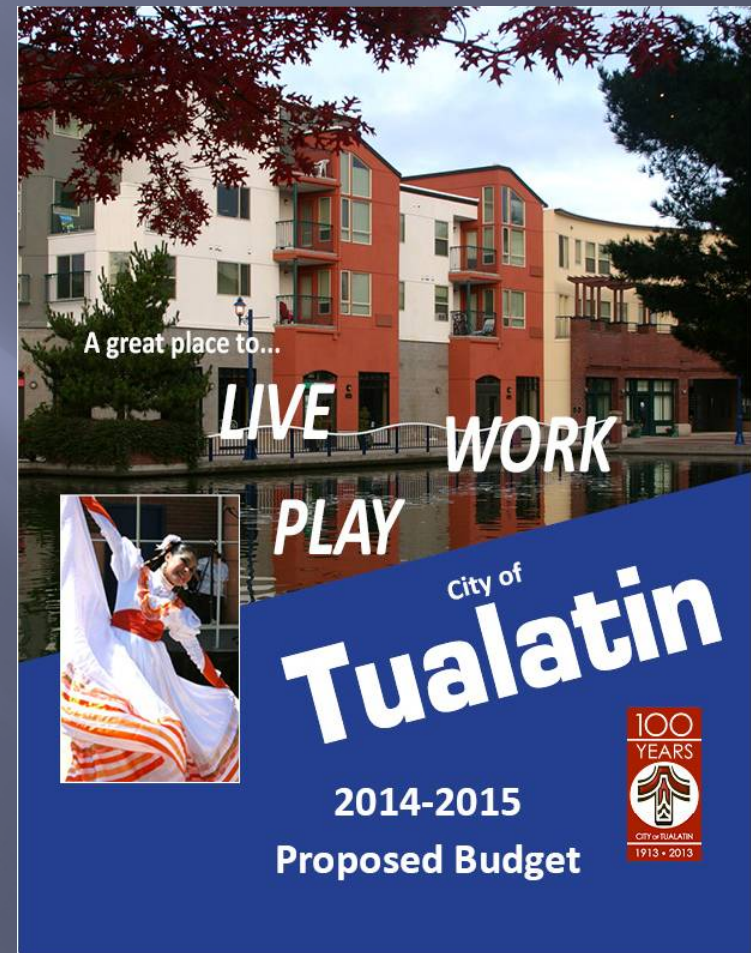
GFOA Award Received

- ▣ First Year Received
- ▣ Proficient as:
 - Policy Document
 - Financial Plan
 - Operations Guide
 - Communication Tool
- ▣ Only National Awards Program in Governmental Budgeting



Fiscal Year 2014/15 Budget

- ▣ May 13th – Delivered Budget Message to Budget Committee and released Proposed Budget
- ▣ May 28th (6-8pm) – Second Budget Committee Meeting
- ▣ June 23rd – Budget Hearing/Budget Adoption



Questions?



City of Tualatin



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Linda Odermott, Paralegal
Sean Brady, City Attorney

DATE: 05/27/2014

SUBJECT: Consideration of **Ordinance No. 1371-14** Annexing Territory Located at 17645 SW Jurgens Avenue Into the City of Tualatin and Withdrawing the Territory From the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District (Tax Map 2S1 14CC, Tax Lot 4801) (ANN-14-02)

ISSUE BEFORE THE COUNCIL:

Council will consider Ordinance No. 1371-14 approving the annexation of territory located at 17645 SW Jurgens Avenue into the City of Tualatin (Tax Map 2S1 14CC, Tax Lot 4801) (ANN-14-02).

RECOMMENDATION:

Staff recommends that Council consider Ordinance No. 1371-14.

EXECUTIVE SUMMARY:

On May 12, 2014, Council held a quasi-judicial hearing on the annexation of the territory located at 17645 SW Jurgens Avenue. At the conclusion of the hearing, Council directed staff to bring back an ordinance approving the annexation.

Attachments: Ordinance No. 1371-14
Exhibit A - Legal Description
Exhibit B - Map
Exhibit C - Analysis and Findings

ORDINANCE NO. 1371-14

AN ORDINANCE ANNEXING TERRITORY LOCATED AT 17645 SW JURGENS AVENUE INTO THE CITY OF TUALATIN AND WITHDRAWING THE TERRITORY FROM THE WASHINGTON COUNTY ENHANCED SHERIFF PATROL DISTRICT AND THE COUNTY URBAN ROAD MAINTENANCE DISTRICT (TAX MAP 2S1 14CC, TAX LOT 4801) (ANN-14-02)

WHEREAS, upon the application of Joshua Kelso, Managing Member, Mission Homes Northwest, LLC, a public hearing was held before the City Council of the City of Tualatin on May 12, 2014, relating to the annexation of the property comprised of 2.54 acres located at 17645 SW Jurgens Avenue (Tax Map 2S1 14CC, Tax Lot 4801); hereafter called the "Subject Property"; and

WHEREAS, notice of public hearing was given as required by Tualatin Development Code 31.077; and

WHEREAS, the City of Tualatin is authorized to annex territory by ORS Chapter 222; and

WHEREAS, the Subject Property qualifies for annexation under ORS 222.125; and

WHEREAS, the annexation of the Subject Property has been requested by 100 percent of the property owners; and

WHEREAS the annexation of the Subject Property has been requested by 100 percent of the electors; and

WHEREAS, the applicant has requested an Expedited Annexation process in accordance with Metro Code Chapter 3.09.045; and

WHEREAS, Washington County has not opposed the annexation in accordance with the Urban Growth Management Agreement between the County and the City of Tualatin; and

WHEREAS, Metro does not oppose the annexation; and

WHEREAS, the subject territory is in the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District; and

WHEREAS, ORS 222.520(1) authorizes cities to withdraw territory from districts concurrent with the annexation decision; and

WHEREAS, the Council conducted a public hearing on May 12 2014, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS, after the conclusion of the public hearing the Council determined the annexation is consistent with all applicable legal requirements of state law, Metro code, and City ordinances related to annexing property and voted to approve the application by a unanimous vote; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, that:

Section 1. The Subject Property identified in the legal description attached as Exhibit A and as more fully depicted in the map in Exhibit B, which are both incorporated herein by reference, is hereby annexed to and made a part of the City of Tualatin.

Section 2. The findings attached as Exhibit C, which are incorporated herein by reference, are hereby adopted.

Section 3. The City Recorder is directed to forward copies of this Ordinance to the Oregon Department of Revenue.

Section 4. Within five days of receipt of the required information from the Oregon State Department of Revenue, the City Recorder is directed to send copies of this Ordinance and the approval from the Oregon Department of Revenue to Metro for filing with the Oregon Secretary of State.

Section 5. The annexation of the Subject Property is effective from the date the annexation is filed with the Oregon Secretary of State, as provided in ORS 222.180.

Section 6. On the effective date of the annexation, the Subject Property is withdrawn from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District.

Section 7. The City Recorder is directed to forward copies of this Ordinance and all other required materials to all public utilities and telecommunications utilities operating within the City in accordance with ORS 222.005.

Section 8. The City of Tualatin endorses the annexation of the Subject Property into the Clean Water Services District.

Adopted by the City Council this ____ Day of _____, 2014.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder

Property Description for Annexation into the
City of Tualatin, Washington County, Oregon
Portion of Tax Lot 4801, 2S114CC
January 31, 2014
Project No. 2312-010

ANNEXATION CERTIFIED

BY TF

FEB 06 2014

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

EXHIBIT "A"

A tract of land, located in the southwest one-quarter of Section 14, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, being a portion of that tract of land conveyed to Howard L. Rayborn and Kathy L. Rayborn by Deed recorded in Book 1021, Page 56 and corrected in Book 1022, Page 373, recorded May 8, 1975, Washington County Deed Records, and being more particularly described as follows:

Commencing at the southwest corner of Lot 3, "Hazelbrook Farm", said point being on the centerline of an unnamed vacated road and also being South 0°09'27" East, 51.06 feet from the Initial Point of "Jeffwood Estates No. 2";

Thence along the south line of said Lot 3, North 89°34'12" East, 30.00 feet to the east line of said vacated road;

Thence along the east line of said vacated road North 0°09'27" West, 362.70 feet to the Point of Beginning, being the southwest corner of said Rayborn tract and being a point on the north line of Lot 91 of "Jeffwood Estates No. 4";

Thence continuing along said east line of vacated road North 0°09'27" West, 223.46 feet to the northwest corner of said Rayborn Tract being on the south line of Lot 1 of "Linden Terrace";

Thence along the north line of said Rayborn Tract being common with the south line of said "Linden Terrace" North 89°17'18" East, 348.56 feet to the northwest corner of that parcel of land described in City of Tualatin Ordinance No. 1204-06:

Thence South 0°25'21" East along the west line of said Ordinance No. 1204-06 parcel a distance of 176.71 feet;

Thence North 89°32'39" East along the south line of said Ordinance No. 1204-06 parcel a distance of 201.89 feet to the westerly right of way line of SE Jurgens Road (being 20 feet from the centerline thereof, when measured at right angles);

Thence South 3°50'28" East along said right of way a distance of 51.46 feet to the easterly extension of the north line of "Jeffwood Estates";

Thence South 89°51'41" West, along said easterly extension and said north line a distance of 554.55 feet to the Point of Beginning.

Containing 2.04 Acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael D. Spelts

OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS

RENEWAL: 6-30-2014

Drawing Name: J:\2312-010.13\Survey\CAD\DWG\2312-010Exh2.dwg Feb 06, 2014 - 1:21pm - mds



0 50' 100'
SCALE: 1"=100'

ANNEXATION CERTIFIED

BY 

FEB 06 2014

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

JEFFWOOD ESTATES NO. 2

TL 8400 (VACATED ROAD)

N00°09'27"W 223.46'

TL 4801
RAYBORN
BOOK 1022, PAGE 373

POINT OF BEGINNING

S89°51'41"W 554.55'

JEFFWOOD ESTATES NO. 4

N00°09'27"W 362.70'

POINT OF COMMENCEMENT

N89°34'12"E
30.00'

**LOT
HAZELBROOK
FARM**

SW 104TH AVE.

176.71'
S00°25'21"E

TL 4800
DOC. NO. 2011-020968
ORDINANCE NO.
1204-06

N89°32'39"E
201.89'

51.46'
S03°50'28"E

SW JURGENS AVE. (C.R. NO. 1071)

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**



**OREGON
NOVEMBER 12, 2013
MICHAEL D. SPELTS
87475PLS**

RENEWAL: 6-30-2014

EXHIBIT B

LOCATED IN THE SW 1/4 OF SECTION 14
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.
CITY OF TUALATIN, WASHINGTON COUNTY, OREGON

DATE	2-6-2014
DRAWN BY	MDS
CHECKED BY	TGB
REVISION	0
JOB NO.	2312-010

WESTLAKE
CONSULTANTS INC.

ENGINEERING * SURVEYING * PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0832
TIGARD, OREGON 97224 FAX (503) 624-0157

ANN-14-02: ANALYSIS AND FINDINGS

The subject is a petition for annexation of a property known as the Rayborn Property and as Tax Lot 4801 on Washington County Assessor's Map 2S1 14CC located at 17645 SW Jurgens Avenue and withdrawing the territory from the Washington County Enhanced Sheriff Patrol District and the County Urban Road Maintenance District. The applicant is Mission Homes Northwest, LLC, represented by Joshua Kelso, Managing Member, which represents Howard & Kathy Rayborn, owners of the 2.54-acre Tax Lot 4801.

The City Council must find that the annexation conforms to Tualatin Development Code (TDC) Objectives 4.050(20) and (21), and the applicable criteria in Metro Code 3.09 and Oregon Revised Statutes (ORS; TDC 31.067[5]). The applicant submitted application materials that address the annexation requirements (Attachment 103), and staff reviewed the application materials and included pertinent excerpts below.

A. Metro Code, 3.09.050(d) states that an approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065.

The application states: "At this time, there are no agreements, pursuant to ORS 195.065, in place between Tualatin and any service provider" (Attachment 103). Staff concurs. There is not an urban service provider agreement that applies to the subject property. The application and proposed annexation agreement between the City and the property owner are not an annexation plan per Oregon Revised Statutes (ORS) 195.065.

Therefore, there are no applicable provisions of an urban service agreement or annexation plan with which the proposed annexation can be reviewed for consistency.

The criterion is not applicable.

2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party.

The application states: "The subject property is within the portion of Washington County that is inside the acknowledged Tualatin Urban Boundary. Annexations within the established Urban Boundary are consistent with Tualatin's Urban Planning Area Agreement with Washington County." Staff concurs.

As required in the [Urban Planning Area Agreement \(UPAA\)](#) between the City of Tualatin and Washington County, staff notified the County of this proceeding via first class mail. In accordance with TDC 1.030(6) and UPAA Section III(I), the subject property will automatically assume the Low Density Residential (RL) Planning District designation on the effective date of the annexation. Per UPAA Section III(G), the County does not oppose this annexation.

The criterion has been met.

3) Consistency with specific directly applicable standards or criteria for boundary changes contained in comprehensive land use plans and public facility plans.

The applicable standards or criteria in the TDC for boundary changes are 4.050(20) and (21). TDC 4.060(1) is also relevant to boundary changes.

4.050(20) Initiate annexation of property within the Urban Growth Boundary planned for residential development only when petitioned to do so by owners of the affected property, including cases involving unincorporated “islands” of property surrounded by land annexed previously.

The subject property, which is within the Urban Growth Boundary (UGB) and will be within the Low Density Residential (RL) Planning District, is an unincorporated island for which the property owner initiated the annexation application. The requirement is met.

4.050(21) Territories to be annexed shall be in the Metro Urban Growth Boundary.

The subject property is currently within the existing Metro UGB. The requirement has been met.

4.060(1) A long-range growth boundary is necessary to predict the amount and location of urban land needed in the future. The establishment of this boundary provides a framework for the orderly conversion of rural land to urban uses. The growth boundary establishes the City’s intent to annex and provide urban services to specific properties over a specific period of time. Thus, the growth boundary establishes the basis of a City annexation policy and provides landowners with some assurance as to the City’s intent for the future use of their land.

4.060(1) is not a directly applicable standard or criteria for boundary changes, but is relevant. Because the annexation territory falls within the Urban Planning Area

that accounts for future growth, the boundary is a long-range growth one, and the annexation is in support of the statement contained in TDC 4.060(1).

4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan.

The application states: "The Regional Framework Plan and Functional Plan have no provisions directly related to annexation. Because services and transportation facilities are available in the area and all property within the Urban Growth Boundary and Urban Planning Area Boundary were included in calculations for facility capacity, housing and employment, annexation would be consistent with the Framework and Functional Plans." Staff concurs.

The criterion is met.

5) Whether the proposed change will promote or not interfere with the timely, orderly, and economic provisions of public facilities and services.

Potable water, sanitary sewer, and stormwater public lines are available from a combination of SW Jurgens Avenue, SW 104th Avenue, and an easement along Tax Lot 2S1 14CC 08400 (Lot 8400), which is west adjacent to the subject property.

Pedestrian, cyclist, and vehicular access to the subject property is available via both SW 104th Avenue and SW Jurgens Avenue.

Following annexation and upon development, a developer would construct stormwater management improvements for adequate treatment, detention and conveyance to serve the subject property. Staff informed the applicant about the availability of public facilities at the annexation pre-application meeting.

Future street rights-of-way (ROWs), including their functional classifications and prospective alignments, were established as part of the Tualatin Transportation System Plan (TSP), which is incorporated into TDC [Chapter 11](#). State of Oregon planning rules stipulate that the TSP must be based on the current comprehensive plan land use map and provide a transportation system that accommodates the expected 20-year growth in population and employment that will result from implementation of the land use plan. (The Tualatin Community Plan, which is Chapters 1-30 of the TDC, is the Tualatin comprehensive plan, and TDC Map 9-1 Community Plan Map is the comprehensive plan land use map.) Although actual alignment of roadways may be negotiated during development review, the general capacity needs and the associated alignments of the Tualatin transportation system have been established and planned for via

the TDC. (Any existing and future local streets, collector or arterial roads, or highways or expressways that are in the general vicinity of the subject property have been established as part of the TSP.)

The general alignment and potential functional classification of such streets and roads can be found in TDC [Figure 11-1](#) Functional Classification and Traffic Signal Plan and [11-3](#) Local Street Plan. Though the annexation itself affects no public street needs, the City determines that because the street and road network and vehicular capacity planning has already been established as part of the TSP, future development will not interfere with the provision of this type of service in the area. The ability of the transportation facilities – including the southward extension of SW 104th Avenue to a new east-west cul-de-sac that connects to the east at SW Jurgens Avenue as shown in the Northwest Enlargement within Figure 11-3 – to serve development on the subject property and the need for street improvements to serve this property would be determined in a land use process upon proposal of development.

A proposed annexation agreement between the City and the property owner addresses the orderly provision of services and the adequacy and suitability of existing improvements on the subject property for existing and future development on this property. The orderly provision of services is confirmed and ensured. The proposed Rayborn Annexation Agreement will establish the uses and property improvements that upon redevelopment will be in conformance with the Tualatin Development Code (TDC) and Tualatin Municipal Code (TMC).

Staff finds that because the subject property can be served by these public facilities, the annexation will not interfere with the timely, orderly and economic provision of public facilities and services.

The criterion is met.

6) If the proposed boundary change is for annexation of territory to Metro, a determination by the Metro Council that the territory should be included in the Urban Growth Boundary shall be the primary criterion for approval.

Because the subject site is already within both the Metro Service District Boundary and UGB, the criterion is not applicable.

7) Consistency with other applicable criteria for the boundary change in question under state and local law.

One item in the TDC and two items in ORS Chapter 222 apply to annexations.

TDC 4.050(21) states, “Territories to be annexed shall be in the Metro Urban Growth Boundary.”

The territory to be annexed is currently within the existing Metro UGB. The criterion is met.

ORS 222.111(1) states, "When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies."

The subject property is not currently within a city and is contiguous to Tualatin city limits on all sides.

This criterion is met.

ORS 222.520(1) states, "Whenever a part less than the entire area of a district named in ORS 222.510 becomes incorporated as or annexed to a city in accordance with law, the city may cause that part to be withdrawn from the district in the manner set forth in ORS 222.120 or at any time after such incorporation or annexation in the manner set forth in ORS 222.524. Until so withdrawn, the part of such a district incorporated or annexed into a city shall continue to be a part of the district."

The subject territory is in the Washington County Enhanced Sheriff Patrol District and the Washington County Urban Road Maintenance District. As part of this annexation, the subject territory will be withdrawn from the Enhanced Sheriff Patrol District and the Urban Road Maintenance District. The City of Tualatin will provide police services. Because the proposed boundary change is consistent with state and local law, this criterion is met.

B. Metro 3.09.050(g) states that, "Only territory already within the defined Metro Urban Growth Boundary at the time a petition is complete may be annexed to the city or included in territory proposed for incorporation into a new city."

The subject property is currently within the Metro UGB and was so at the time the petition for annexation was filed on January 29, 2014.

The criterion is met.

C. Conclusion

Based on the application and the above analysis and findings, the approval criteria of Metro Code 3.09.050(d), the Tualatin Development Code, and Oregon Revised Statutes have been met.

City Council Meeting

Meeting Date: 05/27/2014

SPECIAL REPORTS: Resolution Awarding the Bid for the 2014 Pavement Maintenance Program

SPECIAL REPORTS

Consideration of **Resolution No. 5192-14** Awarding the Bid for the 2014 Pavement Maintenance Program and Authorizing the City Manager to Execute a Contract.

SUMMARY

The 2014 Pavement Maintenance Request for Bids was advertised in the Daily Journal of Commerce on April 16 and 23. Bids were publicly opened and read on May 1, 2014 at 2:00 pm.

Bids were received from the following bidders:

Baker Rock Resources	471,847.50
North Santiam Paving Company	482,940.00
Knife River Corporation	496,460.00
S-2 Contractors, Inc.	526,420.00
Brix Paving NW, Inc.	527,094.01
Kodiak Pacific Construction	569,725.39

Baker Rock Resources was the successful low responsible bidder for the project. Funding for the 2014 pavement projects is budgeted in the proposed 2014/15 fiscal year budget, which is yet to be adopted.

Resolution 5192-14 awards a contract in the amount of \$471,847.50 to Baker Rock Resources and authorizes the City Manager to execute a contract for the project. Resolution 5192-14 also authorizes the City Manager or designee to execute change orders that do not exceed 10% of the contract.

A. Power Point Presentation

Pavement Maint Award Reso

PAVEMENT MAINTENANCE PROGRAM 2014

Bert Olheiser
Street/Sewer/Storm Manager

Pavement Maintenance Program 2014



Pavement Maintenance Program 2014

- 2014 Pavement Maintenance Program has a proposed budget of \$600,000

- Projects consist of:
 - ▣ Crack Sealing
 - ▣ Slurry Seal
 - ▣ Full Depth Patch
 - ▣ Fabric and Overlay



Pavement Maintenance Program 2014

□ Crack Sealing

- ▣ As pavement expands and contracts with age, cracks appear and allow water to infiltrate into the sub grade deteriorating the base
- ▣ Sealing is accomplished by cleaning out with compressed air and filling with a hot asphalt

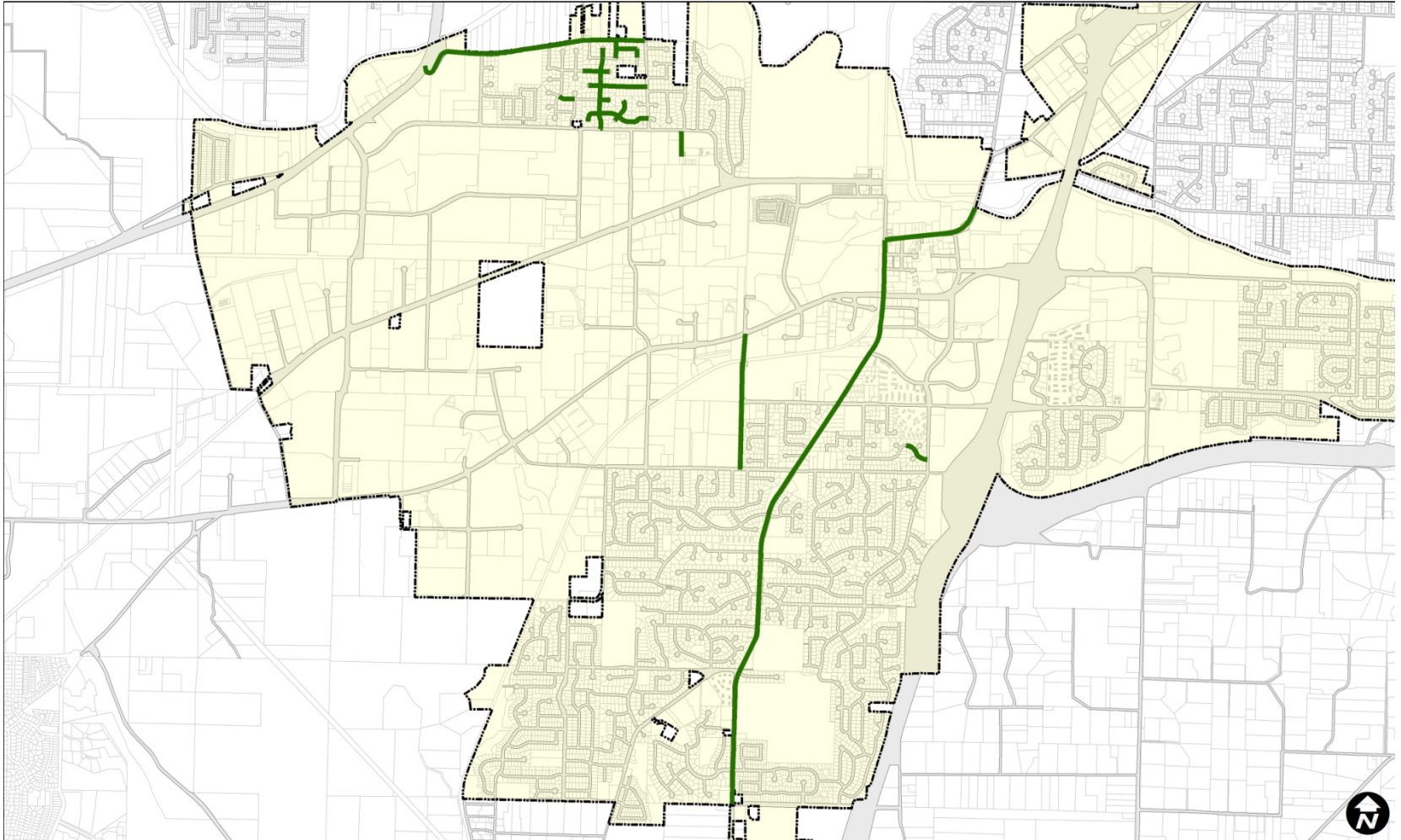


A portion of this Work was completed between May 7 – 16 before slurry seal begins.

Crack Sealing Locations

2014 Pavement Improvements - Crack Seal

TUALGIS



Pavement Maintenance Program 2014

□ Slurry Seal

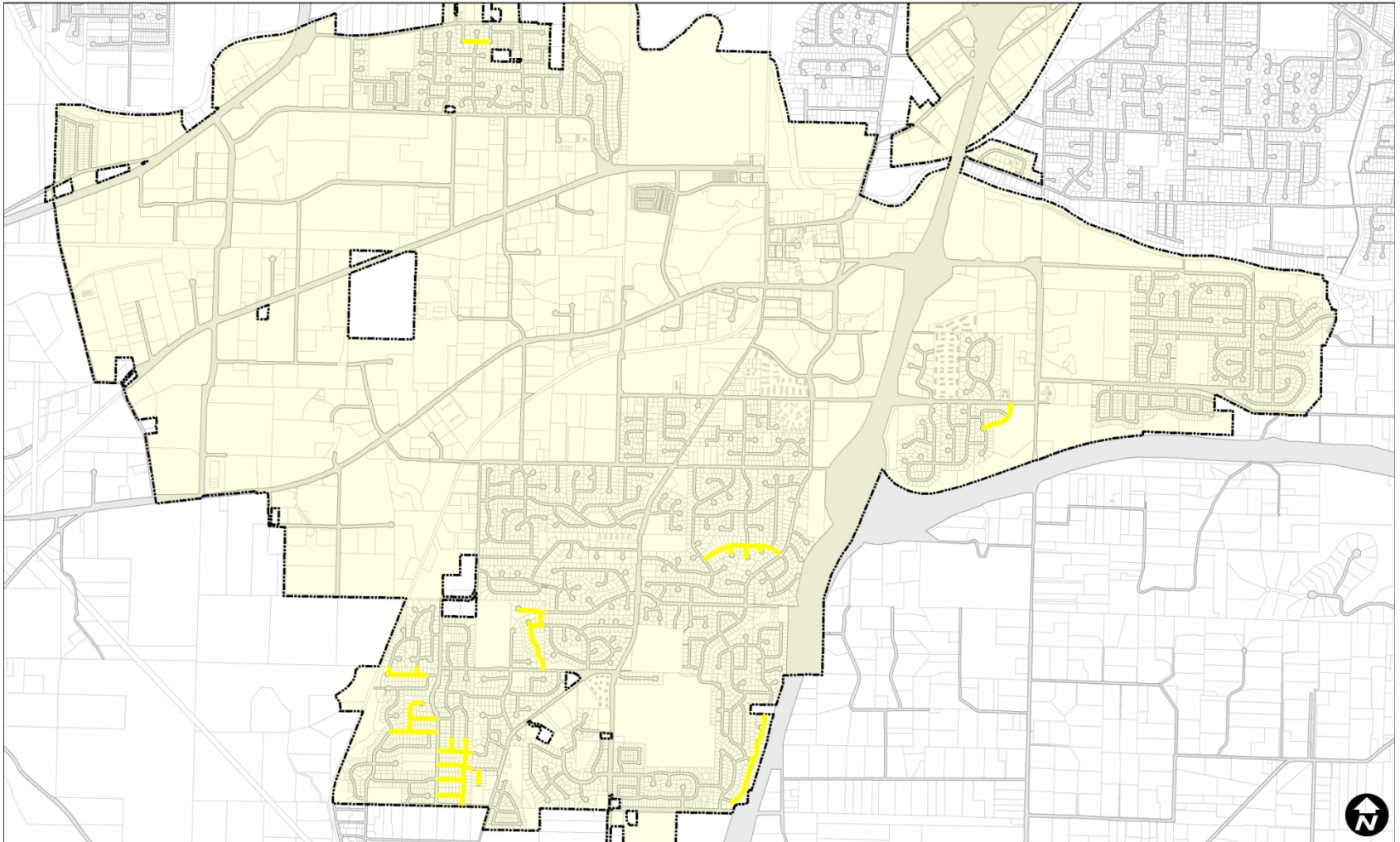
- Completing 50,000 square yards of roadway (2.7 miles) and will allow for an additional 5-10 years of surface wear
- Material is placed in a slurry form and hardens within 4-5 hours, although it takes several weeks to completely cure



Slurry Seal Locations

2014 Pavement Improvements - Slurry Seal

TUALGIS



Pavement Maintenance Program 2014

- **Full Depth Patch Work**
 - ▣ Full depth patchwork includes removal and replacement of pavement 9" deep to prevent future failure while providing extended life of the roadway

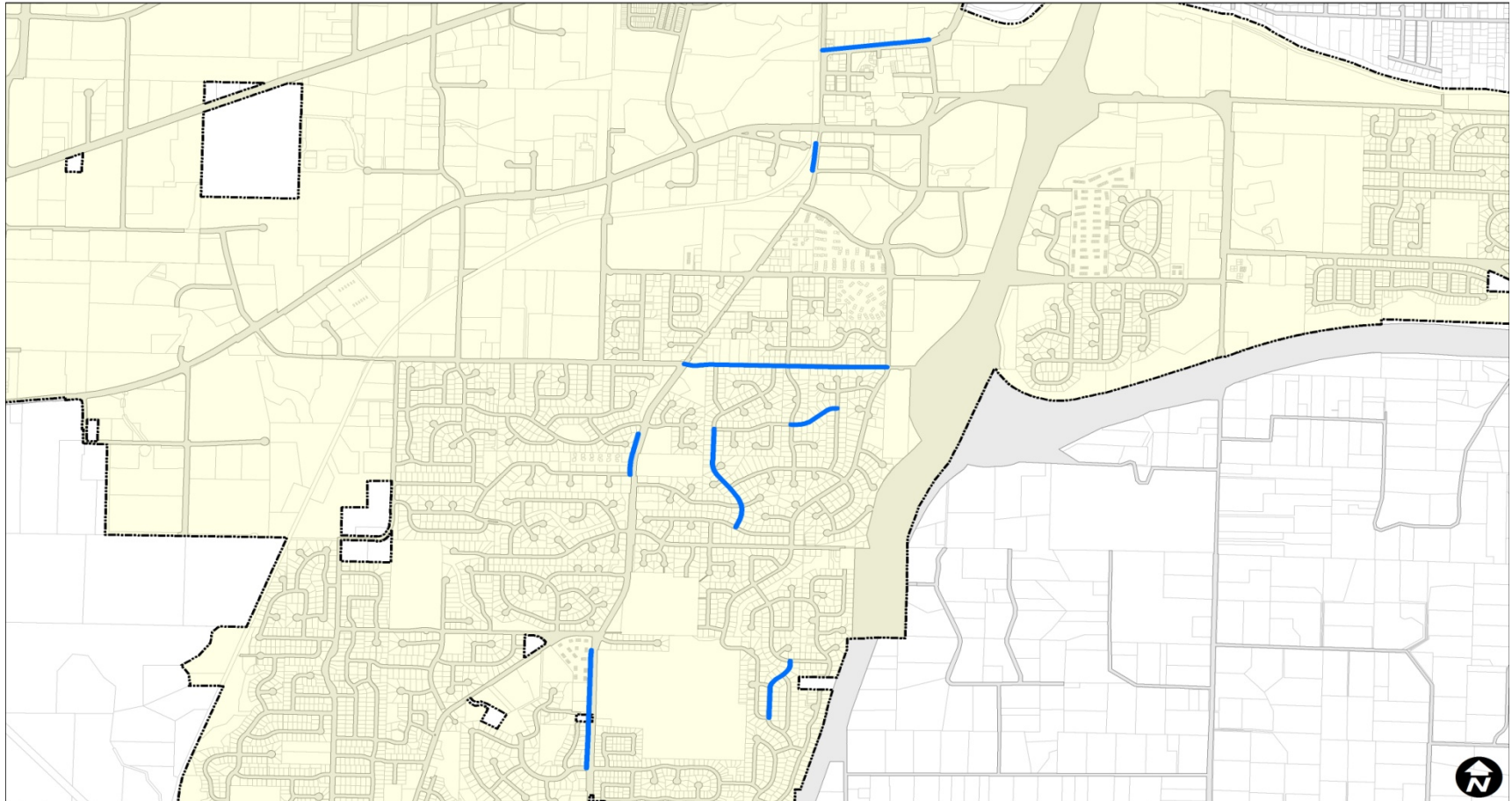


Boones Ferry Road – Norwood to Tualatin bridge
This Location has isolated areas of pavement failure

Full Depth Patch Work Locations

2014 Pavement Improvements - Full Depth Patch Repair

TUALGIS



Pavement Maintenance Program 2014

- **Fabric/Overlay Projects**
 - ▣ Remove and replace a large area within the wheel path by grinding and inlay of 7" of material followed by fabric and 3" overlay

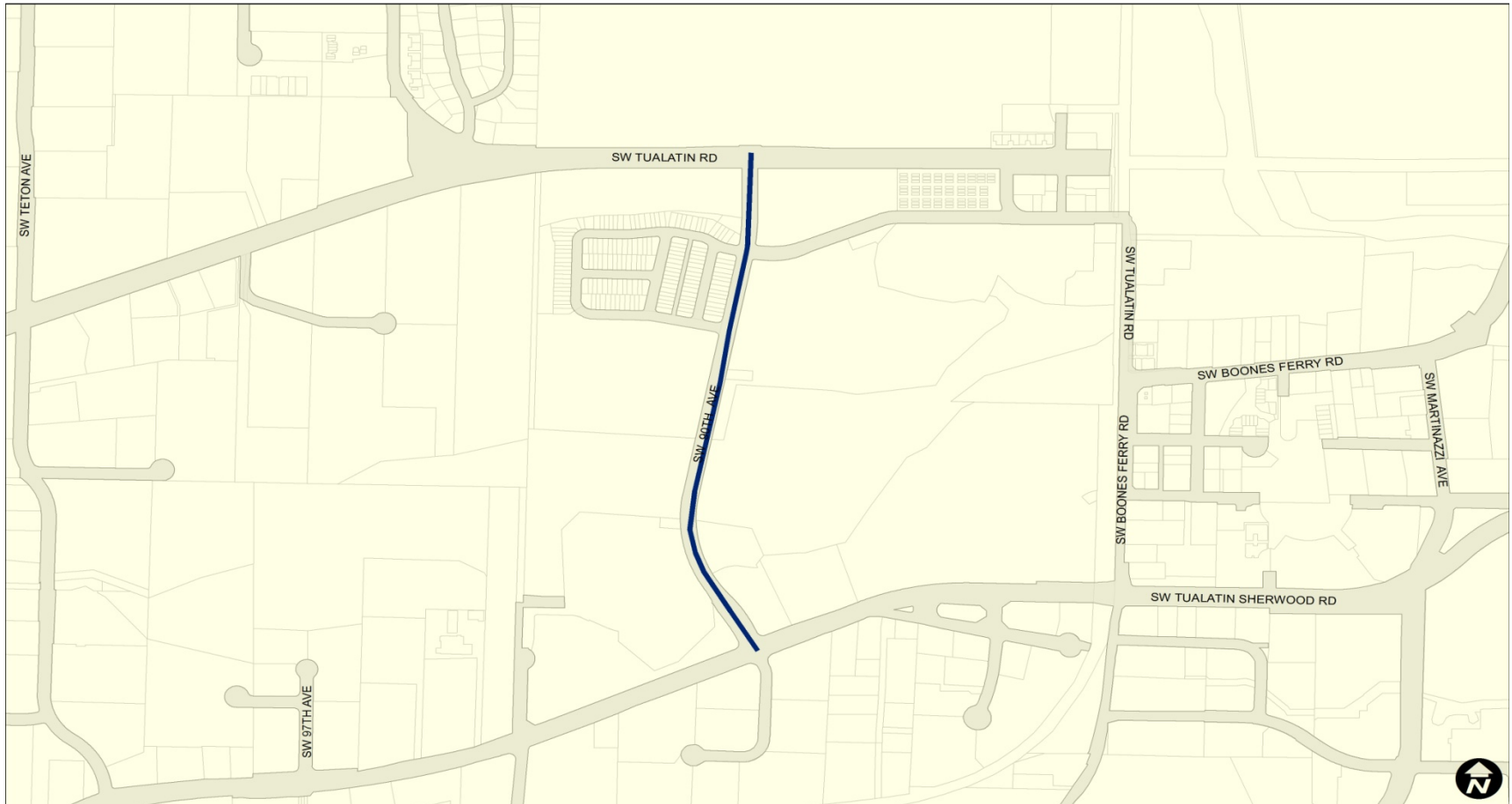


90th Avenue between Tualatin-Sherwood Road
and Tualatin Road

Fabric/Overlay Project Locations

2014 Pavement Improvements - Overlay

TUALGIS



Pavement Maintenance Program 2014

□ **Public notification**

- Website/Social media
- Newsletter
- Posted signage
- Door hangers
- Direct contact with businesses

**Work to be completed between July 7th and
September 1st**

Pavement Maintenance Program 2014

Applying the right treatment to the right road at the right time!



Questions



RESOLUTION NO. 5192-14

RESOLUTION AWARDING THE BID FOR THE 2014 PAVEMENT
MAINTENANCE PROGRAM AND AUTHORIZING THE CITY MANAGER TO
EXECUTE A CONTRACT

WHEREAS, the 2014 Pavement Maintenance Program project was advertised in the *Daily Journal of Commerce* on April 16 and 23; and

WHEREAS, six proposals were received and publically opened and read on May 1, 2014; and

WHEREAS, the procurement complies with the City's public contracting requirements

WHEREAS, funding for this project is budgeted in the proposed 2014/15 fiscal year Road Utility Fund, line item 016-0000-641.64-33; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Baker Rock Resources was the successful responsible low bidder and is hereby awarded a contract to provide pavement maintenance.

Section 2. The City Manager is authorized to execute a contract with Baker Rock Resources in the amount of \$471,847.50.

Section 3. The City Manager or designee is authorized to execute change orders that do not exceed 10 percent of the total contract.

Adopted by the City Council this 27th Day of May, 2014.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos

FROM: Nicole Morris, Deputy City Recorder

DATE: 05/27/2014

SUBJECT: Receive for Filing of Initiative Petition 2012-01i with the Tualatin City Council

ISSUE BEFORE THE COUNCIL:

Receive for filing of Initiative Petition 2012-01i with the Tualatin City Council.

RECOMMENDATION:

Receive for filing.

EXECUTIVE SUMMARY:

A prospective petition for local measure was filed with the City Elections Official on March 30, 2012. The initiative petition calls for an amendment to the City Charter requiring voter approval of an "authorization ordinance" prior to any "City resources" being used for the (i) "Financing;" (ii) "Design;" (iii) "Construction;" or (iv) "Operation" of any public rail transit system inside or outside City limits "City resources" is defined to "include any public funds, staff time, lobbying agreements, property interests or other tangible or intangible city assets, and the right to direct or permit the use of such resources."

The initiative petition was approved for circulation of signatures on May 9, 2012. The Chief Petitioner submitted signatures for verification on May 6 and 12, 2014. Per state elections law both the City and Washington County completed the signature verification process. The County notified the City on May 14, 2014 that the appropriate number of signatures had been verified. As required by state law, the City Elections Official is filing the initiative petition with the City Council. The initiative will be placed on the September 16, 2014 Special Elections ballot for consideration by the voters.

FINANCIAL IMPLICATIONS:

The measure will be voted on during a special election. The City will be responsible for its cost of the election, which is estimated to be approximately \$14,000.

Attachments: Attachment A- Petition Language
Attachment B - Proposed Charter Amendment

Attachment B- Petition Validation

BALLOT MEASURE NO. 2012-01i

CAPTION (10 words)

PROHIBITS USING CITY RESOURCES FOR RAIL TRANSIT WITHOUT SPECIFIED
ELECTION

QUESTION (20 words)

AMENDS CHARTER TO REQUIRE SPECIFIED ELECTION APPROVAL BEFORE CITY
COULD AUTHORIZE USE OF CITY RESOURCES FOR PUBLIC RAIL TRANSIT SYSTEMS

SUMMARY (175 words):

The proposed charter amendment would prohibit the City Council from authorizing the use of
"city resources" including

- Public funds,
- Staff time,
- Lobbying agreements,
- Property interests,
- Tangible or intangible city assets, and
- The right to direct or permit the use of those resources.

for any of the following activities:

- Financing;
- Design;
- Construction; or
- Operation

of any public rail system operating inside and outside the City unless city voters first approved
such use.

The authorization voters would consider must specify the types of city resources to be
authorized; the permissible use of those resources; the estimated cash value of the resources
with the associated personnel costs; and the duration of the authorization.

"City resources" could not be used to develop the information necessary to estimate the cash
value of the resources, associated personnel costs, or duration of the authority needed to
prepare an authorization ordinance for the election. City resources could be used for a public
safety concern caused by the operation of public rail transit systems.

Act to Require Voter Approval for New Rail Transit in the City of Tualatin

The people of the City of Tualatin amend the Tualatin City Charter as follows:

- A. The Tualatin City Council may not authorize the use of city resources for the financing, design, construction or operation of any public rail transit system, including, but not limited to, the extension of an existing public rail transit system operating outside of the city limits, without first obtaining the approval of city voters at an election on an authorization ordinance. "City resources" shall include any public funds, staff time, lobbying agreements, property interests or other tangible or intangible city assets, and the right to direct or permit the use of such resources. This subsection does not apply to the use of city resources to respond to or prevent a public safety concern caused by the operation of a public rail transit system.
- B. Any authority extended to the Tualatin City Council by an election held under section (A), shall be strictly limited to the parameters of the authorization ordinance. An authorization ordinance submitted to voters under section (A) must provide sufficient public notice of the authority conveyed and shall not be effective unless the following parameters are specified:
 - 1. the types of city resources to be authorized;
 - 2. the permissible uses of such resources;
 - 3. the estimated cash value of any authorized resources and any associated personnel costs; and,
 - 4. the duration of the authority extended.

Sufficient public notice for an authorization ordinance under this subsection is provided to city voters if the certified ballot title accurately summarizes the authorized parameters and provides a link to a detailed description hosted on a city website. If sufficient public notice cannot be accomplished in the manner above, the city shall provide such information to voters by mail at least 21 days in advance of the election.

- C. This measure shall become immediately effective upon passage. If any provision of this measure is barred from operation by superior law, the other provisions shall remain unaffected. Sections (A) and (B) shall be codified as a new section of Chapter X of the Tualatin City Charter.



WASHINGTON COUNTY

OREGON

May 14, 2014

Petition Validation of Registered Voters

The office of Washington County Elections hereby finds 1975 valid

petition signatures of registered voters within the City of Tualatin (District),

on the attached petition City of Tualatin Mass Transit 2012-01i, on this

date of May 14, 2014.



Elections Official

Washington County Elections
Washington County Oregon

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Department of Assessment & Taxation, Elections Division

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Phone: 503/846-5800

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Website: www.co.washington.or.us/elections

E-mail: election@co.washington.or.us